

STATE ELECTION COMMISSION, HARYANA
NIRVACHAN SADAN, PLOT NO. 2, SECTOR 17, PANCHKULA

Order

The 1st March, 2012

No. SEC/3ME/2012/289.—As per provisions contained in Section 13D and 13E of Haryana Municipal Act, 1973, every contesting candidate of Municipal Council has to maintain an account of his election expenses from the date of his nomination till the declaration of result. As per orders published in the State Government Gazette *vide* Notification No. SEC/4ME/2006/9706, dated 19th December, 2006, the State Election Commission, Haryana, has fixed the time limit of 30 days from the date of declaration of the result of the election to file/lodge account of election expenses with the Deputy Commissioner or any other officer prescribed by the State Election Commission, Haryana, and if a candidate, does not do so within the prescribed time limit could be disqualified by the State Election Commission, Haryana for a period of three years.

2. The General election to Municipal Council, Jind, District Jind, was held on 20th May, 2010 and the result was also declared on the same day. Therefore, election expenses account were to be filed by 19th June, 2010. Sh. Vijay s/o Sh. Satbir, candidate of ward No. 30, had failed to lodge account of his election expenses within 30 days of declaration of the result. He was served upon with a show cause notice as to why he should not be disqualified as he did not file the election expenses account within the prescribed time. He was personally heard by me on 10th February, 2012 at 11.30 A.M. in the Court Room of Deputy Commissioner, Jind.

3. Sh. Vijay Singh, in his reply to the show cause notice and during the personal hearing stated that he had deposited his election expenditure register on 18th June, 2010 *vide* Diary No. 1111 in the office of Municipal Council, Jind. Earlier a complaint against him was received from Smt. Sunil Kumari regarding non submission of expenditure register. The Deputy Commissioner, Jind was requested to confirm whether he had deposited the same or not. The matter was got enquired by the Deputy Commissioner, Jind through the SDO(C), Jind, who reported that Sh. Vijay Singh had not deposited the election expenditure but in collusion with the concerned official, he has got entered his name in the diary register. The Deputy Commissioner, Jind, *vide* his letter dated 6th February, 2012 has informed that the report of SDO (C), Jind has already sent to the Commission, according to which Sh. Vijay Singh had not deposit the expenditure register in the prescribed time. The Deputy Commissioner, Jind has also sent a copy of report dated 5th February, 2012 of the Secretary, MC, Jind to the Commission for necessary action. In his report, the Secretary, MC, Jind informed that the explanation of Sh. Lal Chand, Peon, who entered the receipt of the expenditure register of Sh. Vijay Singh at Sr. No. 1111 dated 18th June, 2010, has been called. The expenditure register has been found by Sh. Lal Chand, Peon after searching the record and the same has been sent to the Commission. During the hearing Sh. Ramesh Kumar, Accountant O/o Municipal Council Jind who had appeared on the behalf of Municipal Council, in his statement stated that at the time of enquiry, the Enquiry Officer did not give an opportunity to the concerned official of the Municipal Council, Jind to explain their position.

4. In the light of statement of Sh. Ramesh Kumar Accountant the comments of the Deputy Commissioner be obtained before finalization the case.

Panchkula :
The 1st March, 2012

DHARAM VIR,
State Election Commissioner, Haryana.